

FEB 26 2010

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIARICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1 STEVEN MAYERS,

2 Case No.: CV 09 0790 EDL (EMC)

3 Plaintiff,

4 v.

5 LOREE DIANE TAYLOR, et al.,

6 [PROPOSED] ARBITRATION ORDER
7 RESOLVING DISPUTE RE:
8 SETTLEMENT AGREEMENT

9 Defendants.

9 Judge: Hon. Edward M. Chen

10
11 This case settled on November 5, 2009 at a Settlement Conference conducted by this
12 Court. Pursuant to the terms of the settlement recited on the record, all parties and their counsel
13 agreed that any disputes regarding the terms of a written settlement agreement or any terms not
14 fully disclosed on the record would be resolved through binding arbitration by this Court,
15 without any right of appeal. Plaintiff and those Defendants represented by attorney Robert
16 Drescher have submitted a joint letter in which they set forth their respective positions regarding
17 a disputed issue concerning the parties' written settlement agreement. Having considered this
18 letter and the exhibits thereto, this Court hereby orders as follows:

19 (1) Defendants ROCKY COLOGNE dba ROCKY COLOGNE'S COMEDY
20 TRAFFIC SCHOOL, KEN R. HARRISON, JOSEPH RANDALL dba FINALLY A GAY
21 TRAFFIC SCHOOL, GEORGE H. APKARIAN dba FUN N CHEAP COMEDY TRAFFIC
22 SCHOOL, ROSALINA L. AVENA dba ROSY DRIVING SCHOOL, PANYA LEE, dba A
23 SAFE WAY DRIVING SCHOOL, TIMOTHY J. KARO dba SF BAY TRAFFIC VIOLATOR
24 SCHOOL, JAMES SUN HUNG CHAN dba NU TECH DRIVING & TRAFFIC SCHOOL, and
25 SHEILA ANN IP dba SPEED TRAFFIC SCHOOL, and their attorney, Robert Drescher, shall
26 execute that version of the written settlement agreement attached as Exhibit A to the parties'
27 joint letter within five days of the date of this Order; and
28

1 (2) Defendants ROCKY COLOGNE dba ROCKY COLOGNES COMEDY
2 TRAFFIC SCHOOL, KEN R. HARRISON, JOSEPH RANDALL dba FINALLY A GAY
3 TRAFFIC SCHOOL, GEORGE H. APKARIAN dba FUN N CHEAP COMEDY TRAFFIC
4 SCHOOL, ROSALINA L. AVENA dba ROSY DRIVING SCHOOL, PANYA LEE, dba A
5 SAFE WAY DRIVING SCHOOL, TIMOTHY J. KARO dba SF BAY TRAFFIC VIOLATOR
6 SCHOOL, JAMES SUN HUNG CHAN dba NU TECH DRIVING & TRAFFIC SCHOOL, and
7 SHEILA ANN IP dba SPEED TRAFFIC SCHOOL shall pay their respective portion of
8 settlement sums to Plaintiff by submitting a check to Disability Rights Advocates Client Trust
9 Account within ten days of the date of this Order. If any of the foregoing parties does not submit
10 such payment within ten days of the date of this Order, each such party shall pay interest on the
11 amount owed pursuant to the rate established by 28 U.S.C § 1961.

11 amount owed pursuant to the rate established by 28 U.S.C § 1961.
12 The Court so orders because the action was not brought as
13 a class action and neither Mr. Mayers nor his attorney can
be said to be a class of the deaf community.
DATED: 2/26/10
The language proposed by Mr. Fischer

13 DATED: 2/26/10

Hon. EDWARD M. CHEN
United States Magistrate Judge